IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE KURIAN JOSEPH

FRIDAY, THE 15TH DECEMBER 2006 / 24TH AGRAHAYANA 1928

OP.No. 6209 of 1996(L)

PETITIONER:

SHEILA VELAYUDHAN,
SELECTION GRADE LECTURER,
GOVERNMENT COLLEGE FOR WOMEN,
THIRUVANANTHAPURAM.

BY ADV. SRI.C.P.SUDHAKARA PRASAD
SRI.ELVIN PETER P.J.

RESPONDENTS:
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1. **STATE OF KERALA , REP.BY THE CHIEF SECRETARY TO GOVERNMENT, GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM.**

2. **THE DIRECTOR OF COLLEGIATE EDUCATION, THIRUVANANTHAPURAM.**

3. **K.VALSALA, SELECTION GRADE LECTURER, GOVERNMENT COLLEGE FOR WOMEN, THIRUVANANTHAPURAM.**

BY GOVERNMENT PLEADER SMT.K.R.DEEPA
SRI.P.C.SASIDHARAN

THIS ORIGINAL PETITION HAVING BEEN FINALLY HEARD ON 15/12/2006, ALONG WITH OP NO. 8914 OF 1997 THE COURT ON DELIVERED THE FOLLOWING:

KURIAN JOSEPH, J.

O.P.Nos.6209 OF 1996 & 8914 OF 1997

Dated this the 15th day of December, 2006

J U D G M E N T

The crucial question is to be decided in this case is whether the petitioners are entitled to count their leave without allowance period granted prior to the introduction of Appendix XII A in Part I K.S.R. In view of the decision of this court in **K.S.R.T.C. v. Noorudeenkutty** [2005(3) KLT 504], the leave sanctioned and extended prior to 16.12.1983 is liable to be counted as qualifying service. In this case petitioners claim that the leave is liable to be counted as qualifying service for the purpose of placement under the UGC scheme. In view of the above decision of this court during the pendency of this writ petition, it is for the petitioners to approach the Government. In the event of the petitioners approaching the Government by way of an appropriate representation producing a copy of the judgment referred to above within a period of two months from today, the matter will be duly considered by the 1st respondent with notice to the petitioners and any other affected parties, within another four months.

The writ petition is disposed of as above.

(KURIAN JOSEPH, JUDGE)

ps

KURIAN JOSEPH, J.

**O.P.Nos.6209/1996 &
8914/1997**

JUDGMENT

15th December, 2006